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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/806,319 | 03/23/2004 | Yong-jin Ahn | 1293.1278C5 | 1755 |

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| EXAMINER | |
|---|---|
| CHOW, LIXI | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2627 | |

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| **Advisory Action Before the Filing of an Appeal Brief** | **Application No.** 10/806,319 | **Applicant(s)** AHN ET AL. | |
|---|---|---|---|
| | **Examiner** Lixi Chow | **Art Unit** 2627 | |

***--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***

THE REPLY FILED 03 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER

Continuation of 11: Applicant's arguments, see page 2 of Remarks, filed 7/3/06, with respect to claim 17 have been fully considered and are persuasive. The rejection of claim 17 has been withdrawn. Also, Applicant states, on page 5 of Remarks, that Seo (US Pub. No. 2002/0101808) was owned by the same person or subject to an obligation of assignment to the same entity with the instant application at the time the invention of the instant application was made. Therefore, Seo does not qualify as prior art. As result, claims 4-5 would be objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Further, Applicant's arguments with respect to claims 1-3 and 7-16 under 35 U.S.C 103(a) in view of Dekker and Ichihara have been fully considered but they are not persuasive. Specifically, Applicant argues that neither Ichihara nor Dekker suggest altering the overall erasure pattern or reverse the power levels in the manner required to meet the features of claim 1. However, Examiner respectfully disagrees. Ichihara does suggest modifying the power level between an end of the second multi-pulse and a first one of the pulses of the first multi-pulse (see col. 6, line 62 to col. 7, line 5), so that level may be changed from Pc1 to Pa, Pc2 to Pa, or to Pa after once returning it to the conventionally used Pc level. The portion of the pulse having the Pc level shown in Fig. 1B is between the end of the second pulses and a first one of the pulses of the first multi-pulse. In the previous Office Action, Examiner states that Dekker discloses the leading one of the second pulses is set to be a low level of the multi-pulse (see page 6 of previous Office Action). Therefore, as stated in the previous Office Action, it would have been obvious to combine the teaching of Dekker and Ichihara, since Ichihara suggests the modification the power level between the end of the second multi-pulse and a first one of the pulses of the first multi-pulses to best meet the thermal response of the recording medium. Furthermore, Applicant points out that Examiner has not accounted for evidence of record which shows an improvement in jitter performance where erasure pulses having a first pulse at a low level and pulse between erase and recording pattern at a high level, and further states that such evidence is included in Figs. 14A and 19A of the instant application. However, Fig. 19A of Applicant's disclosure does not show an improvement in jitter performance for option of LH, rather it shows that among the four options of erase pattern arrangement, option LH has the highest jitter. Accordingly, claims 1-3 and 7-16 are not patentable over Dekker in view of Ichihara. The application is not in condition for allowance.